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SPEECH

OF

MR. ROBERT SMITH, OF ILLINOIS,
1802 - 1867

ON

THE PUBLIC LAND BILL:

DELIVERED

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 27, 1844.

WASHINGTON:
PRINTED AT THE GLOBE OFFICE.
1845.

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S P E E C H .

The House being in Committee of the Whole on the "bill to reduce and graduate the price of the public lands"—

Mr. ROBERT SMITH addressed the committee as follows:

I owe some apology to the committee for thrusting myself forward thus early in this debate, and particularly for immediately following the talented and eloquent gentleman from Maryland [Mr. CAUSIN] who last addressed the committee. And my excuse must be the deep interest which my constituents feel in this measure, and from the further fact, that I am a practical farmer, and may, perhaps, on that account, take more interest in meting out justice to the great agricultural community, than the honorable gentlemen who oppose this bill. And again, sir, I believe that a little practical experimental knowledge in this matter is worth more than all the *fine-spun theories* in the world. As there are many gentlemen anxious to speak on this question, I shall not trespass very long on the patience of the committee.

Mr. Chairman, the proper and judicious disposition of the public lands, or management of them, involves principles of more vital importance to the people of the whole western country, than any other question which has yet come before Congress. In the discussion and action by this committee upon the bill now under consideration, which has for its object the graduation and reduction of the price of the public lands to the settlers and cultivators, I beg gentlemen to lay aside all local and sectional interest or feeling, and come up to the question as brethren of one great family, whose only object is so to act as will best promote the interests of the whole family. I come from the West, and from one of the States most deeply interested in the disposition of these lands; and know and feel that much is due to the pioneer settlers of the State which I have the honor, in part, to represent and to the early settlers of the whole West—men to whose courage, energy, and toil, we are indebted for transforming a waste wilderness into a productive country. I believe that this government ought to bestow these lands upon those who, by their valor and labor, have given to them their present value.

Sir, I sincerely believe that justice and equity demand that they should be thus bestowed, at least so soon as the government shall have received from the sales the original cost of the lands, with the expense of survey and sales of the same. I will not now advocate any bill or proposition which cannot be demonstrated to be for the interest of the whole Union. We of the West must depend mainly upon our mineral and agricultural resources. And, Mr. Chairman, I would ask, in what does the wealth of our community consist? Is it in the millions of acres of wild, unimproved lands? No, sir; it is in the labor laid out upon those lands, rendering them productive—the improvements put upon them—the minerals dug from the bowels of the earth by the enterprising miner, and the annual crops produced by the labors of the honest cultivator of the soil,—these, sir, these are the sources of our wealth; and when this government will adopt the true policy in the disposition of the public lands, every *freeman* will have it in his power to become a *freeholder*. If the government, by giving away the public lands which have been in market over ten years, could thereby insure the making of a good farm upon each quarter or half section of these lands now remaining unsold, it would be a profitable and judicious disposition of them.

The taxes alone derived from the lands when well improved, would, in ten years, amount to more than the present value of the lands. In a country like ours—boasting as we do of our liberal institutions, our enlightened policy, our high regard for the popular rights of man—shall we show, by our course in the disposition of the public lands—from which the farmer, by toil and sweat, earns not only his own bread, but also feeds and sustains the whole country—that the sole governing principle with us is dollars and cents? Shall we keep the lands at such prices as will prevent thousands of our honest, hard-laboring men from becoming the owners of lands, and thus force them to become literally "hewers of wood and drawers of water" for their more wealthy and fortunate neighbors? I do not, Mr. Chairman, adopt the motto "take care of the rich, and let them take care of the poor." In my opinion, it is the bounden duty of the government to pass such laws

as will best secure and promote the interests of the laboring classes; for, sir, it cannot be denied that all wealth is the product of labor, and whenever that great interest, and more particularly the agricultural interest, suffers, you will find all other branches of business deranged and depressed; for all depend, more or less, for their success upon the prosperity of the agricultural interest.

The bill now under consideration may not be perfect in all its provisions, and may require many modifications; still all must admit that there is a wide difference in the value of our lands; and common sense would at once suggest that those who make the first selections will take the most valuable lands. There may, perhaps, be some few exceptions to this rule; but the general principle is so plain and obvious that those who select first secure the most valuable lands, that I had not supposed any gentleman would attempt to controvert the position; and whatever may have been the fact in relation to the lands in the State of Ohio in this respect, I can inform the honorable gentleman from that State, [Mr. VINTON,] who spoke against this bill, that in Illinois, where the land has been in market five years, the most valuable lands have all been purchased. Many of our best lands were settled and improved before they were offered for sale, or even surveyed; and such has also been the case in the Territories of Iowa and Wisconsin. The graduating scale in this bill, so far as Illinois is concerned, is, perhaps, as just and equitable as any general principle that could be adopted or agreed upon. All who are acquainted with the value of lands know that some—*even third rate*—land, lying near a good market, would command a higher price than first rate land more remote from market; whilst, at the same time, these lands would be dearer at five cents per acre, than the first rate lands, in the same vicinity were at two dollars per acre. There are various reasons why lands of equal richness of soil, and lying in the same vicinity, are not all alike valuable. In Illinois, sir, we have extensive prairies; and although the land may be unsurpassed in beauty and richness of soil, still it may be so far from timber that its value is greatly diminished. Those who purchase first, always select those lands where the timber and prairie join; and those who come after them have to go further into the prairie and purchase that at government price, and then buy timber land of first purchasers at five and ten dollars per acre. There are millions of acres of lands in Illinois that would be dearer as a gift than the same quantity, sold within five years from the time it came into market, was at one dollar and twenty-five cents per acre, or even twice that price. This measure seems to be regarded by some gentlemen as purely for the interests of the West. This is not so, Mr. Chairman; the benefits of this bill are conferred upon all who wish to purchase lands for immediate settlement and cultivation, it matters not from what State, country, or nation they may come; all, all who wish to cultivate the soil are hospitably received, and are equally entitled to its provisions. Do not gentlemen from the old States feel some *sympathy* for those of their brethren who, by misfortune, or owing to the high prices at which lands are held in the old States, are unable to become the owners of land in those States? And will they not aid us in carrying this bill through, for the benefit of this worthy class of *their constituents*, and others equally deserving, who may participate in the blessing it will confer? If this bill shall

pass, it will enable thousands to become the owners of the lands they cultivate. It will give them a real interest in the country; it will elevate them in a moral point of view. They will become more industrious and better citizens, by feeling that they are upon an equality in every respect with the richest man in our land. They would be freeholders.

But (said Mr. S.) it is urged against this bill, that by reducing the price of the public lands, you do injustice to the present owners of land, by bringing down the price of their lands. Now, sir, this is such an argument as we might expect from the miser against any reduction in the rate of interest; but I did not expect to hear such an argument introduced here. Lands are valuable, mainly from their capacity to yield a support or living to the cultivator; and so far as that is concerned, it matters not to the owner whether the land is considered worth one dollar or twenty dollars per acre. It is the duty of the government, as I believe it is their interest also, as I have before remarked, to make every freeman a freedholder. Again, sir, I consider it due to the new States that this bill, or one embracing many of its provisions, should become a law. Many of the new States are largely in debt; and while the public lands are held by the government at present prices, they will not sell; and hence these States are deprived of raising revenue from these unsold lands. And whilst our *citizens* are groaning under heavy taxation, millions of acres of lands within our borders remain untaxed, in consequence of a higher price being demanded for them than they are worth. I, sir, differ in opinion with many of my friends; I believe that we have the right to tax all the *lands* within the borders of our State; but I do not design at this time to discuss that question. I, however, dislike to hear gentlemen, whenever any measure is moved beneficial to the new States—such as reducing the price, ceding the lands to the States upon equitable terms, or showing the injustice of not allowing the new States to tax the lands held by the government within their limits—fly to the deeds of cession.*

**Deed of cession of Virginia, executed 1st March, 1784.*

To all who shall see these presents, we, Thomas Jefferson, Samuel Hardy, Arthur Lee, and James Monroe, the underwritten delegates for the Commonwealth of Virginia, in the Congress of the United States of America, send greeting:

Whereas the general assembly of the Commonwealth of Virginia at their session, begun on the 20th day of October, 1783, passed an act entitled "An act to authorize the delegates of this State in Congress to convey to the United States, in Congress assembled, all the right of this Commonwealth to the territory northwestward of the river Ohio," in the following words, to wit:

Whereas, the Congress of the United States did, by their act of the sixth day of September, in the year one thousand seven hundred and eighty, recommend to the several States in the Union, having claims to waste and unappropriated lands in the western country, a liberal session to the United States of a portion of their respective claims, for the common benefit of the Union; and whereas this Commonwealth did, on the second day of January, in the year one thousand and seven hundred and eighty-one, yield to the Congress of the United States, for the benefit of the said States, all right, title, and claim, which the said Commonwealth had to the territory northwest of the river Ohio, subject to the conditions annexed to the said act of cession.

And whereas the United States in Congress assembled have, by their act of the thirteenth of September last, stipulated the terms on which they agree to accept the cession of this State, should the legislature approve thereof, which terms, although they do not come fully up to the propositions of this Commonwealth, are conceived, on the whole, to approach so nearly to them as to induce this State to accept thereof, in full confidence that Congress will, in

and to the acts of admission, and meet us with the cry, There is no authority in the compact; it is not warranted by the acts of admission of the new States into the Union! Sir, said Mr. S., will this government, Shylock-like, exact the "pound of flesh," because, forsooth, the "bond" calls for it? He hoped, for the honor of the nation, that such was not to be the rule of action; that if time had shown that, by the terms of admission of the new States into the Union, injustice had been done to them, they should not be forever debarred from justice. It was not to be expected that, in the early settlement of the West, and when the present land system was adopted, a system could be framed so perfect as to need no change. While rapid advances and improvements were being made in literature, science, and the mechanic arts, were no advances to be made to render our government and laws more perfect? Is not the light of experience entitled to some consideration? Are we to be told that no im-

justice to this State for the liberal cession she hath made, earnestly press upon the other States claiming large tracts of waste and uncultivated territory, the propriety of making cessions equally liberal, for the common benefit and support of the Union.

Be it enacted by the general assembly, That it shall and may be lawful for the delegates of this State to the Congress of the United States, or such of them as shall be assembled in Congress, and the said delegates, or such of them as assembled, are fully authorized and empowered, for and on behalf of this State, by proper deeds or instrument in writing under their hands and seals, to convey, transfer, assign, and make over, unto the United States in Congress assembled, for the benefit of the said States, all right, title, and claims, as well of soil as jurisdiction, which this Commonwealth hath to the territory or tract of country within the limits of the Virginia charter, situate, lying and being to the northwest of the river Ohio, subject to the terms and conditions contained in the before-mentioned act of Congress of the thirteenth day of September last—that is to say, upon the condition that the territory so ceded shall be laid out and formed into States, containing a suitable extent of territory, not less than one hundred, nor more than one hundred and fifty miles square, or as near thereto as circumstances will admit; and that the States so formed shall be distinct republican States, and admitted members of the federal Union, having the same rights of sovereignty, freedom, and independence as the other States.

That the necessary and reasonable expenses incurred by this State, in subduing any British posts, or in maintaining forts and garrisons within, and for the defence, or in acquiring any part, of the territory so ceded or relinquished, shall be fully reimbursed by the United States; and that one commissioner shall be appointed by Congress, one by the Commonwealth, and another by those two commissioners, who, or a majority of them, shall be authorized and empowered to adjust and liquidate the accounts of the necessary and reasonable expenses incurred by this State, which they shall judge to be comprised within the intent and meaning of the act of Congress, of the tenth of October, one thousand seven hundred and eighty, respecting such expenses.

* * * * *

That all the lands within the territory so ceded to the United States, and not reserved for, or appropriated to, any of the before-mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, shall be considered as a common fund for the use and benefit of such of the United States as have become, or shall become, members of the confederation or federal alliance of the said States, Virginia inclusive, according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever.

* * * * *

Resolved, That the United States in Congress assembled are ready to receive this deed, whenever the delegates of the State of Virginia are ready to execute the same.

The delegates of Virginia then proceeded and signed, sealed, and delivered the said deed; whereupon Congress came to the following resolution:

Resolved, That the same be recorded and be enrolled among the acts of the United States, in Congress assembled.

provement can be made in the laws regulating the sales of the public lands? He believed we were half a century behind the times in this matter. True, the West had improved and settled rapidly; but it was not because of the judicious land system: it was owing to the indomitable energy, spirit, and enterprise of the early settlers of the new States. They possessed, in an eminent degree, the spirit of their patriot fathers. And it may be said, with great propriety, that the West has risen to its present prosperous and elevated position, not by favored legislation, but in spite of legislation.

The honorable gentleman from Ohio says, "Stick to the old system; it worked well—the country prospered under it, and settled rapidly." As well might we say to the farmer, Stick to your old system of thrashing your wheat and oats, &c. with the flail; it certainly worked well, and you were prospering and increasing in wealth rapidly; don't suffer yourselves to be led into the use of any of the new inventions and improvements of the age. Do not use the patent thrashing machine, even though it does not cost you one-fifth of the labor to thrash your grain! As well might you say to the manufacturer, Stick to our old spinning jenny—to your old-fashioned loom, &c., &c.; and, sir, I might go through with a long catalogue, showing the perfect folly of such a course of reasoning.

The honorable gentleman from Maryland [Mr. CAUSIN] is mistaken when he supposes that this bill will reduce at once 100,000,000 acres of land to twenty-five cents per acre.* But, sir, be that as it may, twenty-five cents per acre for lands which have been offered in the market over twenty years, to the man who cultivates it, is as much as the government ought to exact, or the purchaser ought to pay; and if this policy had long since been adopted, thousands of the honorable gentleman's constituents, who are now poor and oppressed, would have been in the West, and the owners of land, with all the *real* necessities and comforts of life around them; and millions throughout the Union would, no doubt, by this measure, have been saved from *pauperism* and the lowest depths of degradation, infamy, and crime. The honorable gentleman's argument seems to be, throughout, an appeal to the House to protect the State of Maryland from the annual drain of its population to the West. He seems to think that, under the present land system, the population of the old States is being thinned altogether too rapidly for their interest; and one would suppose that he anticipated the entire desertion or abandonment of the old States, if the bill now under consideration should become a law. The gentleman need have no fears of this. The great majority of those who are fortunate enough to own farms, or who have the means of making a comfortable living in the old States, cannot be easily induced to leave and encounter the perils and hardships incident to the settlement of a new country, and would not do so for a donation of 320 acres of land. It is the poor man *alone*, who, with a fair prospect of securing even 40 acres of land, from which to draw his support, would strain every nerve and encounter every danger, that would leave the older States and remove to the West.

And surely gentlemen cannot object to this small favor being granted to this class of their citizens, while hundreds of millions of government lands are

* See table on page 7.

lying waste! The honorable gentlemen from Maryland and Ohio both seemed to insist that one dollar and a quarter for land of any kind, fit for cultivation, was very cheap; and to think it a small matter for any industrious man to get \$50 and enter him forty acres of land. This shows clearly, to every man who is practically acquainted with farming and the laboring class of our community, that these gentlemen know very little of the slow process of making money by day's labor. They do not perhaps know that one hundred dollars, or one hundred and fifty at most, is the whole amount of a year's toil; and out of this sum a family have to be fed and clothed, with many other little expenses which, under the most rigid economy, would exhaust the year's earnings, and leave nothing to invest in lands. I deny, sir, that there can be any measure adopted or devised by this government, so wise, judicious, just, and charitable, in the disposition of the public lands, as that which secures to every industrious laboring man such quantity of land as may be necessary for his support and that of his family and those dependent upon him for subsistence.

The honorable member from Maryland [Mr. CAUSIN] asks somewhat exultingly, "Whence came this land? Who won it," &c. And answers, "By the precious, priceless sacrifice of the toil and blood of brave men." I, sir, will be one of the last men upon this floor to cast one *blot* upon the *bright escutcheon* of the *revolutionary patriots*. They, sir, poured out their best blood like water—not to purchase land, but *liberty, civil and religious*; and for that they pledged their lives, their fortunes, and their sacred honor. And when they acquired that precious boon, along with it came the lands of the original thirteen States; and these lands were very wisely divided among the States. The government have already drawn from the State of Illinois two or three times as much money for land already sold, as the whole would have brought, had they been sold in the market thirty years ago; and who is it, I ask, that has given this additional value to these lands? Is it the government? Was it our revolutionary fathers? No, sir; it is the sons of those patriots—men who braved every imaginable privation and hardship, and even death, in the defence of the frontier settlements. The Indian wars upon our frontier were more perilous than the war of the revolution. The savages granted no quarter. They butchered alike men and defenceless women and children. Sir, many of my constituents have sad cause to remember the cruel murders which were committed upon their nearest and dearest friends. The revolutionary patriots are gone. We owe them a debt that all the lands of the nation would not pay. Neither, sir, can we do strict justice to the veterans who settled the West and drove back the Indians. But we can express our sense of gratitude and liberality by enabling their sons to procure some of the land acquired and made valuable by their fathers. The war of the revolution was for *freedom and independence*; and when that glorious object was gained, and our fathers turned their attention to the subject of the lands thus acquired in that contest, so bravely fought and so triumphantly won, it was to make such disposition of them as to first pay off the debt necessarily incurred in prosecuting the war, and then make such further disposition as would secure to every man, who might choose to cultivate the soil, a portion of the land thus acquired. In proof of this assertion it is not necessary for me to produce oral testimony; the fact is indelibly stamped in every

page of the history of the revolution. Liberty and independence was the watch-word! And I would ask you, sir, where is the freedom and independence of the unfortunate man who is dependent entirely for his support, and that of his family, upon the caprice of a heartless landlord, or of an overgrown aristocratic manufacturing corporation? We need not, sir, go to England to prove the almost entire control exercised by the capitalist over that class of our citizens who depend upon their daily labor for the support of themselves and their families. Do you not, sir, believe that there is republicanism enough in Rhode Island, if left free to follow the dictates of nature, to elect a legislature pledged to pass a law for the liberation of Governor Dorr, now incarcerated within the walls of a dungeon? and whose only crime was that he tried to confer upon the people of Rhode Island the blessings of freemen, to give them a voice in the election of their rulers and law-makers. I have heard much of the *cruelty and barbarity* of the party in Rhode Island, called *Algerines*; but, sir, I am not willing to believe—I cannot believe—that the spirit of '76 has so entirely departed from any State of this Union, as that a majority of the people, *untrammeled* and left free to exercise the dictates of honest hearts, could be such *Algerines*. Sir, the barbarous and inhuman treatment of Governor Dorr, (if reports could be relied on,) entitles the actors to a celebrity equal if not greater than the founders of the *Spanish inquisition*. What, sir, think you would be the feelings of the departed heroes of the revolution, could they come back and witness the flagrant violation of the great principles for which they fought and bled; for which they pledged life, fortune, honor, and *all*, all that men hold dear? Sir, the picture is too revolting to dwell upon, and I leave it.

I only introduce this case as a strong one illustrative of what I believe to be the fact—that no man can be entirely free, and enjoy all the blessings which the framers of the declaration of independence and the *founders* of our glorious constitution intended to confer upon their posterity, while they are entirely dependent upon others for employment, by which they are to earn the bread that supports their wives and children. Sir, there is no gentleman upon this floor who has not witnessed the power exercised by the creditor over the debtor. And who does not know of many instances where this power has not been used to control the vote of such debtor? Now, sir, it is my policy, in the disposition of the public lands, to free this class of our citizens from this species of "*Egyptian bondage*"; to place them independent of the arbitrary will of the griping *landlord*, and to provide a retreat for all those in the older and manufacturing States to flee to, when they shall be driven from the employment which now affords them subsistence, because they have dared to exercise the privileges of freemen.

In conclusion, I would remark that I believe all the objects for which Virginia and other States ceded lands to the United States have been fully accomplished. Our *national debt* has long since been paid off. Our *treasury* is now overflowing, and there never has been a time so propitious for carrying into effect this all-important measure. I then implore gentlemen not to let this favorable moment pass by, but lay aside all selfish or sectional feelings, and come up to the work—help us to make such amendments to the bill as will render it more perfect, and pass it.

States and Territories.

			Lands offered	Lands unsold	Lands offered	Lands unsold	Lands offered	Lands unsold	Lands offered	Lands unsold	Lands offered	Lands unsold
		Quantity of public land offered at public sale from the earliest period (during the existence of the credit system) to the 30th of June, 1820.										
		Quantity of public land remaining unsold on the 30th of June, 1840, of what had been offered at public sale on or prior to the 30th day of June, 1820.										
		Quantity of public land offered at public sale from the 1st of July, 1820, (the commencement of the cash system,) to the 31st of December, 1824, inclusive.										
		Quantity of public land remaining unsold on the 30th of June, 1840, of what had been offered at public sale from the 30th of June, 1820, to the 30th of June, 1825.										
		Quantity of public land offered at public sale from the 1st of January, 1825, to the 31st of December, 1839, inclusive.										
		Quantity of public land remaining unsold on the 30th of June, 1840, of what had been offered at public sale from the 30th of June, 1825, to the 30th of June, 1830.										
		Quantity of public land offered at public sale from the 1st of January, 1830, to the 31st of December, 1834, inclusive.										
		Quantity of public lands remaining unsold on the 30th of June, 1840, of what had been offered at public sale from the 30th of June, 1830, to the 30th of June, 1835.										
		Aggregate quantity of public lands offered at public sale.										
		Aggregate quantity of public lands remaining unsold on the 30th day of June, 1840, of what had been offered at public sale to the 30th day of June, 1835.										
Total	49,724,082.36	19,424,491	47,569,872.91	22,011,127	19,032,581.54	10,789,178	41,633,627.75	23,991,327	157,960,164.56	76,216,123	132,141,682 acres.	

The aggregate quantity of public lands subject to private entry on the 31st December, 1843, was

